

(c) receiving a selection of at least one product to be purchased and a destination for shipping said selected product to be purchased;

(d) accessing a local or remote database for at least one of the following items

(i) price information,

(ii) product codes for an international goods classification system,

(iii) shipping information related to an origination point of said selected product and said destination;

(e) calculating costs involved in moving said selected product to said destination based upon said destination and said selected product;

(f) receiving an order for said selected product thereby triggering an electronic process for confirming existence of available funds; and

(g) upon confirmation of availability of said funds, generating an electronic title for said selected product, wherein said electronic title includes at least the data content of a commercial invoice and is configured to define ownership, and to facilitate passage of said selected product to said destination.

4. (Twice Amended) The process of claim 3, wherein said step (c) of receiving a selection of at least one product comprises the substep of distinguishing between foreign and domestic transactions.

5. (Twice Amended) The process of claim 4, wherein said step (c) of receiving a selection of at

least one product further comprises the substep of

determining shipping routes and calculating shipping and associated costs for selection by said customer.

6. (Twice Amended) The process of claim 5, wherein said step (c) of receiving a selection of at least one product further comprises the substep of

calculating taxes, import duties, export duties and shipping and associated costs based upon selected shipping routes.

7. (Twice Amended) The process of claim 6, wherein said step (f) of receiving an order for said selected products comprises the substep of

carrying out transactions to arrange for shipment of products selected by customer along a selected shipping route.

13. (Twice Amended) A system for carrying out all requirements for a complete international transaction using computer-to-computer operation over an EMF link, at least one of said computers being programmed to comprise:

(a) means for accessing a plurality of databases, said databases being related to each other by at least one transaction;

(b) means for confirming existence of available funds for said transaction;

(c) means for generating an electronic title upon confirmation of availability of said

43 funds, said electronic title including at least the data content of a commercial invoice and configured to define ownership and facilitate passage of goods subject to said transaction; and (d) means for routing said electronic title in correspondence to a transportation route of said goods involved in said transaction.

### Remarks

As shown below, when terms of art in the claims are properly understood, claims 1-17 distinguish over the prior art of record, Schell and Cahn.

#### A. **The Context of International Trade Is Important to Understanding Terms Used in the Claims**

The claims describe a process and system for carrying out an international trade transaction. As shown in the accompanying declaration of inventor Ed Pool, in international trade there are numerous terms of art. Ed Pool Declaration at ¶ 5 (hereinafter "Pool Declaration") (filed with the PTO on April 18, 2001). In some cases, terms used in international trade are similar to terms used in domestic trade, but these terms have substantially different meanings. Pool Declaration at ¶ 5. Moreover, the application itself uses terms that are understood, in the context of international trade, as terms of art. Pool Declaration at ¶ 7. Accordingly, an understanding of international trade transactions is critical to an understanding of the claims.

##### *1. International Trade Inherently Introduces Complexity to Transactions That Are Not Present in Domestic Trade*

In international trade transactions, processes that are easily accomplished and enforced by "domestic" commercial laws tend to become major if not impossible barriers for most